DRAFT

REMARKS

In the Office Action,[1] claims 1-8, 16-32, 38-49, 56-72, and 78-86 were rejected

under 35 U.S.C. § 102(e) as being anticipated by Ben-Shachar et al., U.S. Patent

Application Publication No. 2003/0169330 ("Ben-Shachar"). Claims 9-11, 33-35, 49-51,

and 73-75 were rejected under 35 U.S.C. § 103(a) as being unpatentable over

Ben-Shachar in view of U.S. Patent No. 5,440,624 to Schoof II ("Schoof"). Claims 14,

15, 54, and 55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over

Ben-Shachar in view of Caspi et al., U.S. Patent Application Publication No.

2004/0249884 ("Caspi"). Claims 12, 13, 36, 37, 52, 53, 76, and 77 were rejected under

35 U.S.C. § 103(a) as being unpatentable over Ben-Shachar in view of Dalal et al., U.S.

Patent Application Publication No. 2003/0014488 ("Dalal").

In this Reply, Applicants have amended claims 1, 9-14, 16, 23, 24, 26, 31, 33-37,

40-41, 49-54, 56, 63, 64, 66, 71, 73-77 and 80-86. Claims 1-86 are pending.

A.   Claims 1-15, 23-55, and 63-88

Applicant respectfully traverses the rejection of claims 1-8, 23-32, 38-49, 63-72,

and 78-86 under 35 U.S.C. § 102(e) for at least the reason that Ben-Shachar fails to

disclose every claim element. For example, claim 1 recites, among other things,

"selectively deleting the stored audio stream data based on a determination that a user

has exited the conference call, while the conference call is ongoing."

---

[1] As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

-29-

DRAFT

The Examiner properly observes that <u>Ben-Shachar</u> "does not teach the claimed determining and deleting steps." <u>See</u> Office Action, page 8. The Examiner cites to <u>Dalal</u> as allegedly disclosing the claim elements deficient in <u>Ben-Shachar</u>. <u>See id.</u> (citing <u>Dalal</u>, ¶¶ 0039-0041). However, Applicants respectfully disagree with Examiner's characterization of <u>Dalal</u>.

<u>Dalal</u> describes a system and method for providing real-time multimedia conferencing services. <u>See</u> Abstract. <u>Dalal</u> describes deleting a "previously created conference" after receiving and verifying a "DELETE request." <u>See</u> paragraph 0040. <u>Dalal</u> further describes another embodiment that automatically deletes a conference after all the participants have left. <u>See</u> paragraph 0041. However, neither description constitutes "selectively deleting the stored audio stream data based on a determination that a user has exited the conference call, *while the conference call is ongoing,*" as claimed. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(e).

Independent claims 23, 24, 31, 41, 63, 64, 71, and 81-86, although of different scope, each contain elements corresponding to the elements of claim 1 discussed above. Therefore, these claims are not anticipated by <u>Ben-Shachar</u> for at least reasons similar to those discussed above with respect to claim 1. In addition, claims 2-8, 15-30, 32, 38-40, 42-49, 65-70, 72, and 78-80 depend from and add additional features to each

-30-

DRAFT

of independent claims 1, 23, 24, 31, 41, 63, 64, and 71. Accordingly, these claims are allowable for at least the reasons set forth above.[2]

As to claims 9-15, 33-37, 49-55, and 73-77, these claims depend from and add additional features to independent claims 1, 31, 41, and 71. Furthermore, Schoof and Caspi each fail to cure the deficiencies of Ben-Shachar identified above. Schoof discloses a method and apparatus for conducting and moderating a networked electronic conference (see Abstract) and is relied on for its disclosure of playback features. See Office Action, pages 6-7. Caspi discloses a system including a server adapted to manage a multimedia conference (see Abstract) and is relied on for its disclosure of recording and playing features. See Office Action, pages 7-8. However, neither Schoof nor Caspi disclose the claim element: "selectively deleting the stored audio stream data based on a determination that a user has exited the conference call, while the conference call is ongoing," as recited in claim 1 and similarly recited in claims 31, 41, and 71. Accordingly, claims 9-15, 33-37, 49-55, and 73-77 are allowable for at least the reasons set forth above.

B.   Claims 16-22 and 56-62

Applicant respectfully traverses the rejection of claims 16-22 and 56-62 under 35 U.S.C. § 102(e) for at least the reason that Ben-Shachar fails to disclose every claim element. For example, claim 16 recites, among other things, "replaying a selected portion of the stored audio stream data, while the conference call is ongoing."

---

[2] As Applicants' remarks with respect to the base independent claims are sufficient to overcome the Examiner's rejections of all claims dependent therefrom, Applicants' silence as to the Examiner's assertions with respect to dependent claims is not a concession by Applicants to the Examiner's assertions as to these claims, and Applicants reserve the right to analyze and dispute such assertions in the future.

-31-

DRAFT

The Examiner alleges that <u>Ben-Shachar</u> discloses the claimed element in Figure 3c, step 366. <u>See</u> Office Action, page 3. In step 366, a recording unit uploads a transcribed copy of a conference to a requestor after the conference has ended. <u>See</u> ¶¶ 65 and 76. Furthermore, <u>Ben-Shachar</u> discloses that "[b]y storing the data in unprocessed form, the [recording unit] enables all transcription of data into a playable recording to be postponed until *after the conference has ended.*" <u>See</u> ¶ 63. Creating a playable recording after the conference has ended cannot constitute "replaying a selected portion of the stored audio stream data, *while the conference call is ongoing,*" as claimed. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 16 under 35 U.S.C. § 102(e).

Independent claim 56, although of different scope, contains elements corresponding to the elements of claim 16 discussed above. Therefore, claim 56 is not anticipated by <u>Ben-Shachar</u> for at least reasons similar to those discussed above with respect to claim 16. In addition, claims 17-22 and 57-62 depend from and add additional features to each of independent claims 16 and 56. Accordingly, these claims are allowable for at least the reasons set forth above.

DRAFT

Customer No. 32,127
Attorney Docket No. 03-1013

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully

request reconsideration of this application and the timely allowance of the pending

claims.

If there is any fee due in connection with the filing of this Reply, please charge

the fee to our Deposit Account No. 07-2347.

Respectfully submitted,

Dated: September 7, 2005   By:_____

Joseph R. Palmieri
Reg. No. 40,760

Verizon Corporate Services Group Inc.
C/O Christian R. Andersen
600 Hidden Ridge Drive
mail Code: HQEO3H14
Irving, Texas 75038
Telephone: 972-718-4800

CUSTOMER NO. 32127

-33-